UNITED
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Security Council

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GENERAL

S/1994/670
6 June 1994

ORIGINAL: ENGLISH

LETTER DATED 6 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you a letter from His Excellency Mr. Mohamed Salem Basendwah, Minister for Foreign Affairs of the Republic of Yemen.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Abdalla Saleh AL-ASHTAL
Ambassador
Permanent Representative

Annex

[Original: Arabic]

Letter dated 6 June 1994 from the Minister for Foreign Affairs of the Republic of Yemen addressed to the Secretary-General

On behalf of the Government of my country, the Republic of Yemen, I should like to convey to you its strong sense of regret at the statement made by His Highness Prince Saud Al-Faisal, Minister for Foreign Affairs of the Kingdom of Saudi Arabia and Chairman of the fifty-first session of the Ministerial Council of the Gulf Cooperation Council, in his opening address to the session on 4 June 1994 at Abha. He said: "A continuation of the fighting [in Yemen] will bring complications for the States of the Council, so that they will need to take measures in regard to this situation ...".

The Government of my country would also like to protest at the final statement of the ministerial meeting, issued yesterday, Sunday, 5 June 1994, to which the fraternal State of Qatar had reservations. It reads, in part, as follows:

> "The Ministerial Council has followed with great concern the painful developments in Yemen and the outcome of the continued fighting between the two parties, which has brought the leaders in southern Yemen to proclaim the establishment of the Democratic Republic of Yemen. In this connection, the Council welcomed the adoption by the Security Council of its resolution 924 (1994) and expressed its great sorrow that fighting was nevertheless continuing.
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> "While, in its resolution 924 (1994), the Security Council affirms the concern of the international community for the maintenance of peace and stability in Yemen, this concern is further compounded within the Gulf Cooperation Council. The Council therefore urges the Yemeni leaders to place the interest of Yemen and its people above all other considerations and to comply immediately with the requirements of the Security Council resolution by bringing an immediate halt to military operations and engaging in dialogue with a view to ending the bloodshed and preserving lives and property.
>
> "Proceeding from the fact that unity is the goal of the members of the Arab nation, the Council welcomed the unification of Yemen at the time it was achieved in May 1990 with the consent of the two independent States of the Yemen Arab Republic and the People's Democratic Republic of Yemen. The continued existence of the unified State is therefore only possible with the consent of both parties. In a de facto situation where one of the parties has declared that it has reverted to its previous status and has established the Democratic Republic of Yemen, the two parties can only act in a peaceful manner. While it appreciates the motives of loyal Yemenis with respect to unification, the Council affirms that it is absolutely impossible to impose such unification by military means. The Council

further states that a continuation of the fighting must inevitably bring with it complications not only for Yemen but also for the States of the Council, and this will bring them to assume the appropriate stance towards whatever party does not observe the cease-fire and to consult with inter-Arab and international parties on the measures that must be taken in the Security Council with regard to this increasingly dangerous situation in accordance with the principles of the United Nations Charter."

The Government of the Republic of Yemen regards this as open interference on the part of five of the States members of the Gulf Cooperation Council in the internal affairs of our country, as a flagrant breach of the Charter of the United Nations, which affirms the unity and territorial integrity of all independent States and respect for their right to national sovereignty, and as a grave violation of the letter and spirit of resolution 924 (1994) as adopted by the Security Council on Thursday, 2 June 1994, which bases itself on the Charter. It sees absolutely no justification for the assumption by these fraternal countries, which participated in the adoption of the resolution in question, of a hostile attitude towards the unification of our country achieved by peaceful means and entirely by the will of our people on 22 May 1990, as reflected in the results of the plebiscite on the Constitution of the unified Yemeni State held on 16 May 1991 and then further reinforced by the free and fair parliamentary general elections held on 27 April 1993.

Accordingly, the Government of the Republic of Yemen calls your attention to the fact that these provocative and unwarranted attitudes and statements, which represent an encroachment on the unity of the Republic of Yemen and give encouragement to departures from constitutional legitimacy and to rebellion against law and order, will not perhaps be helpful in ensuring implementation of the aforesaid Security Council resolution.

(Signed) Mohamed Salem BASENDWAH
Minister for Foreign Affairs
of the Republic of Yemen

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NOTE BY THE SECRETARY-GENERAL

At the 1705th meeting at its sixty-first session, on 25 May 1994, the Trusteeship Council adopted resolution 2199 (LXI), entitled "Attainment of self-government or independence by the Trust Territories".

Pursuant to the request contained in paragraph 4 of that resolution, the text is annexed hereto.

Annex

Resolution 2199 (LXI) adopted by the Trusteeship Council at its 1705th meeting on 25 May 1994

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES

The Trusteeship Council,

Recalling the Trusteeship Agreement for the Trust Territory of the Pacific Islands 1/ approved by the Security Council on 2 April 1947,

Noting that Articles 73 and 76 of the Charter of the United Nations call upon Administering Authorities of Trust Territories to assist their peoples in the progressive development of their free political institutions and towards self-government or independence,

Mindful that the people of Palau have established a constitution and democratic political institutions providing the instruments of self-government,

Aware that political status negotiations between the Administering Authority and representatives of the Trust Territory began in 1969 with the aim of facilitating the progressive development of the peoples in Micronesia, including Palau, towards self-government or independence as was deemed appropriate,

Aware also that this process has been successfully completed for the Republic of Palau,

Recalling its resolution 2183 (LIII) of 28 May 1986, in which termination of the Trusteeship Agreement for the entire Trust Territory was envisioned,

Having heard the statement of the elected representative of the Republic of Palau requesting early termination of the Trusteeship Agreement, and believing this to reflect the freely expressed wishes of the people of Palau,

Conscious of the responsibility of the Security Council in respect of strategic areas, as set out in Article 83, paragraph 1, of the Charter,

1. Notes that the people of Palau have freely exercised their right to self-determination in a plebiscite observed by the visiting mission of the Trusteeship Council and have chosen free association with the United States of America;

1/ Trusteeship Agreement for the Trust Territory of the Pacific Islands (United Nations publication, Sales No. 1957.VI.A.1).

2. Requests the Government of the United States, in consultation with the Government of Palau, to agree on a date on or about 1 October 1994 for the full entry into force of the Compact of Free Association, and to inform the Secretary-General of the United Nations of that date;

3. Considers that the Government of the United States, as the Administering Authority, has satisfactorily discharged its obligations under the terms of the Trusteeship Agreement and that it is appropriate for that Agreement to be terminated with effect from the date referred to in paragraph 2 above, as agreed upon by the two Governments;

4. Requests the Secretary-General to circulate as official documents of the Security Council the present resolution and all material received from the Administering Authority pursuant to this resolution.*

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* All material submitted by the Administering Authority pursuant to this resolution will be circulated as received.

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS AOUZOU STRIP OBSERVER GROUP

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 6 of Security Council resolution 915 (1994) of 4 May 1994, by which the Council established the United Nations Aouzou Strip Observer Group (UNASOG) and authorized the deployment of nine United Nations observers and six support staff for a single period of up to 40 days.

II. DEPLOYMENT OF UNASOG

2. The mandate of UNASOG was to observe the implementation of the agreement signed on 4 April 1994 at Surt (Libyan Arab Jamahiriya) by the Governments of Chad and the Libyan Arab Jamahiriya concerning the practical modalities for the implementation of the Judgment delivered by the International Court of Justice on 3 February 1994 (see S/1994/402 and S/1994/424). The agreement called for the withdrawal of the Libyan administration and forces from the Aouzou Strip and for the United Nations observers to establish that the withdrawal actually has been effected in accordance with article 1 thereof.

3. At the time of the adoption of resolution 915 (1994), the reconnaissance team, composed of five military personnel, which I had sent to the area to undertake a survey of the conditions on the ground (S/1994/512, paras. 7-11), became the advance party of the operation with Colonel Mazlan Bahamuddin (Malaysia) as Chief Military Observer. The other four military observers joined the mission on 12 May 1994. All military observers as well as most of the six international support staff were drawn from the United Nations Mission for the Referendum in Western Sahara (MINURSO). The observers were made available by Bangladesh, Ghana, Honduras, Kenya, Malaysia and Nigeria.

4. Article 1 of the agreement signed on 4 April 1994 provided that operations for the withdrawal of the Libyan adminstration and forces shall commence on 15 April 1994. The reconnaissance team, which arrived in the Libyan Arab Jamahiriya on that date, monitored the withdrawal of Libyan forces until the arrival of UNASOG in the mission area.

III. LOCATION OF LIBYAN MILITARY FORCES WITHIN THE AOUZOU STRIP AND WITHDRAWAL SCHEDULE

5. After consultations between the reconnaissance team and the Libyan Arab Jamahiriya/Chad mixed team, established pursuant to article 1 of the Agreement of 4 April 1994, a list comprising the locations of the Libyan forces deployed in the Aouzou Strip was agreed upon (see annex II.A). It was from these locations that withdrawals were to be effected. The Libya/Chad mixed team also agreed on a schedule for withdrawal and evacuation of the Libyan forces (see annex II.B). The withdrawal and evacuation of Libyan forces were carried out according to the schedule. Each time a withdrawal was effected a member of the Libyan team and of the Chadian team certified that such withdrawal had taken place. UNASOG was present for each withdrawal and witnessed the certification by the Chadian/Libyan teams. The parties agreed that all outstanding issues, including matters relating to the Aouzou base and Well 40 areas, would be settled within the framework of articles 6 and 7 of the agreement of 4 April 1994.

6. On 30 May 1994, Mr. Abderrahman Izzo Miskine, Minister of Interior and Security of Chad, and Mr. Mohamed Mahmud Al Hijazi, Secretary of the General People's Committee for Justice and Public Security of the Libyan Arab Jamahiriya, signed a Joint Declaration on behalf of their Governments stating that the withdrawal of the Libyan administration and forces from the Aouzou Strip had been effected as of that date (30 May 1994) to the satisfaction of both parties and monitored by UNASOG (see annex I). The Chief Military Observer of UNASOG affixed his signature to the Declaration as a witness.

IV. ASSISTANCE TO THE PEOPLE IN THE AREAS FROM WHERE LIBYAN FORCES HAVE WITHDRAWN

7. As I stated in paragraph 17 of my previous report (S/1994/512), about 4,000 inhabitants in the areas from which Libyan forces have withdrawn had been reported to have expressed concern about their welfare after the withdrawal of Libyan administration and forces. A representative of the United Nations Development Programme (UNDP) visited the area from 19 to 24 May 1994 to assess the potential humanitarian dimensions of the situation. He reported that only a few families remained in the Aouzou village, since most of the inhabitants had moved to the Libyan Arab Jamahiriya. The need for humanitarian assistance would have been acute and critical if the population had remained in the areas from which Libyan forces have withdrawn. If the Government of Chad, to whom these areas have reverted, decided to develop the areas as part of its overall economic development plan, an integrated area development approach aimed at ensuring provision of basic social services should be considered. The Government of Chad may therefore wish, in consultation with UNDP, to request a United Nations inter-agency mission to assess the needs and to formulate an integrated development programme for the Aouzou Strip which could also be used to mobilize financial resources for its implementation. The UNDP representative observed that, before commencing any development activities in the area, it would be imperative to complete the removal of land-mines in the entire region and repair the roads destroyed during the process of de-mining.

V. OBSERVATIONS

8. The Governments of Chad and the Libyan Arab Jamahiriya agreed to submit their territorial dispute to the International Court of Justice for judicial settlement. The Court rendered a Judgment which the parties accepted and they requested the assistance of the United Nations in implementing the decision. The Security Council acted promptly in providing assistance to the two Governments. The accomplishment of the mandate of UNASOG amply demonstrates the useful role, as envisaged by the Charter, which the United Nations can play in the peaceful settlement of disputes when the parties cooperate fully with the Organization.

9. I should like to thank the Governments of Chad and the Libyan Arab Jamahiriya for the cooperation they extended to UNASOG and for the spirit of friendship they exhibited towards each other during the operation. I call upon the two Governments to continue to abide by the agreement of 4 April 1994 as they proceed to strengthen their bilateral relations and to work together in developing cooperation in all fields for the mutual benefit of their people.

10. I wish to express my appreciation to the Chief Military Observer and all UNASOG personnel for having carried out their tasks with dedication in pursuance of the UNASOG mandate. UNASOG having successfully completed the task assigned to it by the Security Council in its resolution 915 (1994), departed from the area on 5 June 1994, and the mission may therefore be considered as terminated.

Annex I

Joint Declaration by the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Chad on the withdrawal of the Libyan administration and forces from the Aouzou Strip

Whereas, the International Court of Justice delivered on 3 February 1994 its Judgment on the territorial dispute between the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Chad,

And whereas, the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Chad signed on 4 April 1994 an Agreement concerning the practical modalities for the implementation of the International Court of Justice Judgment,

Now therefore, the Great Socialist People's Libyan Arab Jamahiriya and the Republic of Chad hereby declare that the withdrawal of the Libyan administration and forces from the Aouzou Strip has been effected as of this day, thirtieth of May nineteen hundred ninety-four, to the satisfaction of both Parties and monitored by the United Nations Aouzou Strip Observer Group.

Signed at Aouzou Village on this day, the thirtieth of May nineteen hundred ninety-four, corresponding to the nineteenth of Thou-Al-Hijjah, fourteen hundred and three.

For the Republic of Chad:

(Signed)
Abderrahman Izzo Miskine
Ministry of the Interior and Security

For the Great Socialist People's Libyan Arab Jamahiriya:

(Signed)
Mohamed Mahmud Al Hijazi
Secretary of the General People's Committee for Justice and Public Security

Witnessed by:

(Signed)
Colonel Mazlan Bahamuddin
Chief Military Observer
United Nations Aouzou Strip Observer Group

Annex II

A. Location of Libyan military forces within the Aouzou Strip

Aouzou base

(a) Location: 22° 39′ N, 17° 46′ E
(b) Strength: battle group, air force elements

Cazandou

(a) Location: 21° 30′ N, 19° 00′ E
(b) Strength: 1 platoon, 1 troop engineers

Oumou

(a) Location: 21° 28′ N, 18° 02′ E
(b) Strength: one battle group

Oumshi

(a) Location: 21° 38′ N, 17° 45′ E
(b) Strength: one infantry company

Ras El Mia

(a) Location: 21° 45′ N, 15° 20′ E
(b) Strength: one combat team

Well 40

(a) Location: 22° 29′ N, 17° 58′ E
(b) Strength: one battle group

Passe de Korizo

(a) Location: 22° 20′ N, 16° 20′ E
(b) Strength: one section

Aouzou Village

(a) Location: 21° 50′ N, 17° 25′ E
(b) Strength: one battle group, plus ...

B. Withdrawal schedule

1. Schedule for the withdrawal of forces

Areas	Period of withdrawal
Oumou area	21-26 April 1994
Passe de Korizo	20-25 May 1994
Gate Oumshi site	28 April-1 May 1994
Ras El Mia site	22-28 May 1994
Cazandou site	24-29 May 1994
Aouzou Village site	30 May 1994

2. Schedule for evacuation of forces

Sites	Date of evacuation of the site
Oumou area	25 April 1994
Gate Oumshi site	30 April 1994
Passe de Korizo	25 May 1994 (amended to 26 May 1994)
Ras El Mia site	27 May 1994
Cazandou site	28 May 1994
Aouzou Village site	30 May 1994

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 54
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-ninth year

Letter dated 6 June 1994 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the paragraphs referring to the question of Cyprus from the communiqué of the Eleventh Ministerial Conference of the Non-Aligned Countries, which took place at Cairo from 31 May to 3 June 1994 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the forty-eighth session of the General Assembly, under agenda item 54, and of the Security Council.

(Signed) A. SHAMBOS
Ambassador, Permanent Representative
of the Republic of Cyprus
to the United Nations

Annex

Paragraphs on Cyprus included in the final document adopted by the eleventh ministerial conference of the non-aligned countries, held at Cairo from 31 May to 3 June 1994

The Ministers reaffirmed the previous positions and declarations of the Non-Aligned Movement on the question of Cyprus. They called for the withdrawal of foreign troops and settlers and reiterated their solidarity and support for the people and Government or Cyprus. They also reiterated their support for the sovereignty, independence, territorial integrity, unity and non-aligned status of the Republic.

Proceeding from the position that the present status quo in Cyprus, established through the use of force and sustained by military strength, is unacceptable, they expressed their deep regret and disappointment that so far no solution had been found. In this respect, they welcomed the proposal of the President of Cyprus for the demilitarization of the Republic of Cyprus and his offer that, upon the complete withdrawal of such forces, the Government of Cyprus would assume any added cost of a United Nations force in Cyprus until the Cyprus question was resolved.

They further stressed the importance of securing compliance with all United Nations resolutions on Cyprus and in particular Security Council resolutions 365 (1974) of 13 December 1974, 541 (1983) of 18 November 1983 and 550 (1984) of 11 May 1984. They also recalled Security Council resolutions 889 (1993) of 15 December 1993 and 902 (1994) of 11 March 1994 stressing that, unless progress was made on the Cyprus problem, the Council would consider alternative ways to promote the implementation of its resolutions on Cyprus, and urged the Council to act accordingly. They also recalled the idea of holding an international conference on Cyprus.

They expressed their regret that the recent initiative for the implementation of a package of confidence-building measures had failed because the Turkish side had not shown the necessary political will, as reflected in the report of the Secretary-General just published. They therefore called for the intensification of efforts towards finding a just and viable solution to the Cyprus problem based on the implementation of all United Nations resolutions on Cyprus and Non-Aligned Movement's decisions in accordance with the principles and provisions of the Charter of the United Nations and the rules of international law.